THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9318 of 2005

08.11.2006

Between:

Cheepurupalli Demudu, S/o.Atchanna
And another

… Petitioners

AND

The Inspector General of Registration, Hyderabad
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9318 of 2005

ORDER:

The first petitioner allegedly purchased land admeasuring Acs.0.05 in survey No.368/1 situated at Nagavaram Village of Munagapaka Mandal in Visakhapatnam District from respondents 3 and 4. The sale deed was presented before the second respondent for registration. Though the document was presented on 08.11.2004, the second respondent except keeping the document pending, failed to register and release the same. Aggrieved by the same, present writ petition is filed.

Heard learned Counsel for the petitioners and learned Assistant Government Pleader for Revenue (General-T). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the second respondent or any other Registering Officer to accept the document presented by the petitioners and to consider the same for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioners have any grievance, they may file appeal before the appellate authority i.e., District Registrar under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioners can file a suit under Section 77 of the Act.

The writ petition, with the above observations, is accordingly disposed of. No costs.

_____

(**V.V.S.RAO,J**)

November 08, 2006.

YS